

## ERNEST D. BUFF &amp; ASSOCIATES, LLC

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## FAX COVER SHEET

Date: September 19, 2003  
 From: Roger H. Criss  
 Client/Matter #: 0147-1  
 Re: Serial No. 09/828,330, Filed April 6, 2001

Pages sent (including cover): 18

RECIPIENT	FIRM	CC:	FAX NUMBER
Examiner C. Nichols	USPTO - Art Unit 1647		703-872-9307

## Message:

Dear Dr. Nichols:

Enclosed for your information is a copy of the Amendment after Final Rejection that has been mailed today to the USPTO. The reason that the official copy is being mailed is because a check was required for the extension of time. However, I thought that you would like a copy at this time.

Should there be any questions, please let me know.

Respectfully submitted,

Roger H. Criss  
 Reg. No. 25,570

Enclosure

Confidentiality Note:

The documents accompanying this telecopy transmission contain information from the law firm of Ernest D. Buff & Associates, LLC, which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named in the transmittal sheets. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone so that we can arrange for the return of the original documents to us at no cost to you.

TUES, SEP 23, 2003

9:02:22 AM

AMENDMENT TRANSMITTAL LETTER				ATTORNEY'S DOCKET NO.: 0147-1		
SERIAL NUMBER: 09/828,330	FILING DATE: April 6, 2001	EXAMINER: C. Nichols	GROUP ART 1647			
INVENTION: <b>METHODS OF USE OF FIBROBLAST GROWTH FACTOR, VASCULAR ENDOTHELIAL GROWTH FACTOR AND RELATED PROTEINS IN THE TREATMENT OF ACUTE AND CHRONIC HEART DISEASE</b>						
INVENTOR(s): Wayne P. Franco						
TO THE ASSISTANT COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
<b>CLAIMS AS AMENDED</b>						
(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS PRESENT	(6) RATE	(7) ADDITION AL FEE
TOTAL CLAIMS	24	MIN US	38	0	X \$9	0.00
INDEP. CLAIMS	2	MIN US	5	0	X \$42	0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ 0.00	
<ul style="list-style-type: none"> <li>• If the entry in column 2 is less than the entry in column 4, write "0" in column 5.</li> <li>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.</li> <li>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.</li> </ul>						
<input checked="" type="checkbox"/> No additional fee is required.						
<input type="checkbox"/> Charge _____ to Deposit Account No. _____						
<input checked="" type="checkbox"/> The undersigned petitions for any extension of time for filing this document required under 37 C.F.R. 1.136 and enclosed is a check in the amount of \$55.00 for a one month extension. <input type="checkbox"/> Charge any additional fees to Deposit Account No.						
September 19, 2003				<i>Roger H. Criss</i> Signature		
Date				Roger H. Criss Attorney Name		
(973) 644-0008				25,570		
Phone				Reg. Number		
I hereby certify that this correspondence is being sent by first class mail, postage prepaid to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 19, 2003.						
<i>Roger H. Criss</i> (Signature)						
Roger H. Criss Attorney of Record						
September 19, 2003 (Date)						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wayne D. Franco Group Art Unit: 1647  
Serial No.: 09/828,330 Examiner: C. Nichols  
Filed: April 6, 2001  
For: **METHODS OF USE OF FIBROBLAST GROWTH FACTOR,  
VASCULAR ENDOTHELIAL GROWTH FACTOR AND  
RELATED PROTEINS IN THE TREATMENT OF ACUTE  
AND CHRONIC HEART DISEASE**  
Docket No.: 0147-1

Morristown, N.J. 07960  
September 19, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT AFTER FINAL REJECTION UNDER 37 CFR §1.116**

In response to the Final Rejection dated June 10, 2003, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.